IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 10TH NOVEMBER 2006 / 19TH KARTHIKA 1928

WP(C).No. 29608 of 2006(Y)

PETITIONER:

RAFEEK SHAFEEK, AGED 35 ,
S/O.PAREED, R.NOS.402A & B, W.7,
NANETHAN HOUSE, PERUMBAVOOR P.O.

BY ADV. SMT.M.P.MARY

RESPONDENTS:

THE SECRETARY,
PERUMBAVOOR MUNICIPALITY,
PERUMBAVOOR.

BY ADV.SRI.V.M.KURIAN, SC, MUNICIPALITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE,J.

W.P.(C) NO.29608 OF 2006

Dated this the 10th day of November, 2006

J U D G M E N T

The grievance of the petitioner is that even as Exhibit P5 appeal and Exhibit P6 stay objection are pending before the Tribunal against Exhibits P3 and P4 orders passed by the Municipality, the Municipality is now going about implementing Exhibits P3 and P4 by issuing coercive process.

2. Having regard to the grounds raised in the writ petition and the submissions of Smt.M.P.Mary, counsel for the petitioner and those of Sri.V.M.Kurian, Standing Counsel who has taken notice on behalf of the Municipality, the writ petition will stand disposed of in the following terms at this stage itself.

Exhibits P3 and P4 shall be kept in abeyance by the Municipality for a period of one month from today. It is open to the petitioner to seek further extension from the Tribunal.

PIUS C.KURIAKOSE, JUDGE

Rp